

TRUST MATTERS

Department of the Interior • Office of the Special Trustee for American Indians Volume 12/Issue 1 Winter 2012



Whereabouts Unknown (WAU) is the term used to describe Individual Indian Money (IIM) accounts without current address information on file with the Office of the Special Trustee for American Indians (OST). Some WAU accounts hold thousands of dollars!

During Fiscal Year 2011
(October 1, 2010 through
September 30, 2011)

33,567 - WAU accounts updated
with current addresses

\$22.9 million - total funds in
these updated WAU accounts

To find out if you have an
account on the WAU list, visit
the OST website.

www.doi.gov/ost/wau

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Getting Answers to Your Questions

When will my check (i.e., IIM disbursement, Cobell settlement, judgment, oil and gas) be mailed? How can I find out about my Indian heritage?

These are a couple of questions that Office of the Special Trustee for American Indians (OST) employees in the Washington, D.C., headquarters are asked frequently. The questions come by phone and by letter. Usually, employees can provide information quickly.

Please note that due to court-ordered restrictions, anyone with questions about the Cobell settlement is directed to the plaintiffs' resources. Information about the Cobell settlement can be obtained from:

- » Cobell plaintiffs' website: www.indiantrust.com
- » Cobell plaintiffs' toll-free help line: 1-800-961-6109

The Bureau of Indian Affairs provides excellent guidelines to those who want help researching their Indian heritage. Access is available at www.bia.gov/WhereIsMy/index.htm or go directly to the *Guide to Tracing Your American Indian Ancestry* at www.bia.gov/idc/groups/public/documents/text/idc-002619.pdf.

OST has excellent resources nationwide where individuals are available to answer trust-related questions.

Fiduciary Trust Officers (FTOs)

For questions about issues that affect trust assets, OST's Fiduciary Trust Officers are primary points of contact for Individual Indian Money beneficiaries. To locate an FTO, go to www.doi.gov/ost/fto.

Trust Beneficiary Call Center (TBCC)

OST's Trust Beneficiary Call Center opened December 2004 to give beneficiaries easy access to answers about their trust funds. The toll-free phone number is 1-888-678-6836. TBCC is open Monday through Friday from 7 a.m. to 6 p.m. and Saturday 8 a.m. until noon, Mountain time.



OAS Tenth Anniversary

The Office of Appraisal Services (OAS) is celebrating its tenth anniversary as part of the Office of the Special Trustee for American Indians (OST). OAS conducts appraisals, appraisal reviews and appraisal consulting of real property interests in support of the Secretary of the Interior's Indian trust asset management responsibilities.

OAS was moved from the Bureau of Indian Affairs, Office of Trust Services, Division of Real Estate Services to OST under Secretarial Order No. 3240, which was signed March 12, 2002 (effective June 2002). The Order established OAS as an office and realigned Indian trust land valuation and appraisal functions.

Maintaining public trust motivated this organizational change. It eliminated the potential for a perceived conflict of interest when a Director of Real Estate Services supervised personnel responsible for real

estate management *and* those who value the real estate. As stated in the Secretarial Order, the realignment "will...ensure the independence, accountability, and oversight of the Indian trust lands valuation and appraisal staff."

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Policy changes have played a part in the development of OAS within OST. Improved communication, both internally and with clients, has resulted in better service. Concerns are aired quickly to determine if the issue represents inaccurate perceptions by the client or OAS, which can then be addressed methodically. Now, after a five day grace period, incomplete appraisal requests are returned to their requestors. This adds transparency to the request process as the workload includes only requests that are complete and thus can be acted upon.

As part of OST, there is a clear chain of command in the OAS leadership. The OAS Director reports directly to the Special Trustee. The OAS Director and Deputy Director, who are appraisers, manage the Regional Supervisory Appraisers. They, along with staff members, have expertise, credentials and training specific to Indian trust land valuations.

Building a qualified workforce for *the future* is an OAS priority. Throughout the profession, there has been an increase in state requirements for appraiser training. Because of its specialization, OAS has established an internship program in which seasoned, credentialed OAS appraisers are mentors for new OAS appraisers. With heavy workloads, it's a challenge for mentors to find the time needed to provide first rate training. OAS personnel have stepped up to that challenge.

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OAS works closely with the Office of Minerals Evaluation (OME), which is part of the Department of the Interior's Office of Valuation Services. On Indian lands, OME performs mineral assessments and market analyses to determine the value, if any, of subsurface mineral estates.

In 2009, OAS was challenged to eliminate the backlog of appraisal requests. Requests for appraisal services come to OAS from the Bureau of Indian Affairs and tribes that contract or compact under P.L. 93-638, the *Indian Self Determination and Education Assistance Act*. Although OAS was producing almost 6000 appraisal products a year, a backlog had developed over several years and was approaching 2000 requests. The office took on the challenge to retire the backlog between February and July 2009. By the end of FY2009, the backlog had been reduced to 65 requests.

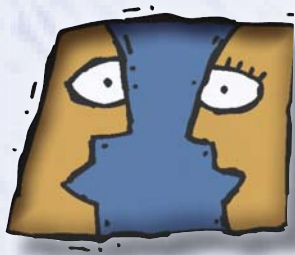
Today, OAS transmits to its clients about 8000 appraisals and appraisal reviews annually. In FY2011, clients received 7,539 appraisal products.

In the future, there is the potential for significant additional land valuation service requirements. Finalization of the Cobell settlement could generate new work through the settlement's Trust Land Consolidation Fund.

Increases to future workloads would be mitigated by two new technology solutions, which are in development. First is the OAS Information System (OASIS), which is being created to streamline and

track appraisal service requests and simplify reporting. The second system is the Mass Appraisal Program System (MAPS), an alternative valuation system. MAPS will expedite valuations of Indian trust lands in a cost effective manner and in compliance with the Uniform Standards of Professional Appraisal Practice. Both systems will be tested during FY2012.

For detailed information about OAS and contact information for Regional Supervisory Appraisers, visit the appraisal services section of the OST website. The quick access link is www.doi.gov/ost/oas.



Exceeding Client Expectations

Sometimes you just need something as soon as possible and you hope other people can, and will, help make it happen. That's what occurred when a Bureau of Indian Affairs Realty Officer asked for a rush on an appraisal request needed for a probate case.

The Office of the Special Trustee for American Indians (OST) Office of Appraisal Services Northwest Regional Office turnaround was almost immediate. As the Realty Officer put it, "I was asking for a rush not a miracle." He added, "I am extremely impressed and grateful for this incredible effort." He went on to thank those involved for being so responsive.

Northwest Regional Office staff members were pleased they could accommodate the request. As Regional Supervisory Appraiser Rena Sanford noted, "We have a great team here."

This is one recent example of OST meeting, and exceeding, client requests!

TRIBAL CONSULTATION POLICY UPDATE

Tribal consultation is a basic premise of the government-to-government relationship between the United States and tribes. In November 2000, Executive Order 13175 directed all executive departments and agencies to engage in "regular and meaningful consultation and collaboration with tribal officials in the development of [f]ederal policies that have tribal implications." President Obama instructed each department and agency head in November 2009 to prepare a detailed plan of action to implement the Executive Order.

Secretary Salazar signed Secretarial Order 3317 on December 1, 2011, implementing the Department of the Interior Policy on Consultation with Indian Tribes. The Secretarial Order is published on Interior's website at www.doi.gov/tribes/Tribal-Consultation-Policy.cfm. The Department's policy is posted at www.doi.gov/news/pressreleases/loader.cfm?csModule=security/getfile&pageid=269697.

Under the policy, Secretary Salazar designated a senior official to serve as the Department's Tribal Governance Officer (TGO). The Office of the Special Trustee for American Indians (OST) is working with the TGO and other bureaus and offices in the Department to review existing consultation policies at the bureau and office level. The goal is to develop new policies, where necessary, that conform to the Department's policy.

Please email consultation@doi.gov for more information about the Department's consultation policy. Contact Lee Frazier (202-208-7587, lee_frazier@ost.doi.gov) about revisions to OST's policy.



Did you know? The Northwest Regional Office has the highest workload in OAS, averaging around 1,700 appraisal requests per year.

Michele Singer Rejoins OST

Michele F. Singer was designated the acting Principal Deputy Special Trustee on December 15, 2011. Singer returns to the Office of the Special Trustee for American Indians (OST), having served as OST's Chief of Staff from 2004 to 2006. She left OST for the position of Director of the Office of Regulatory Affairs and Collaborative Action in the Office of the Assistant Secretary – Indian Affairs. In that position, she was responsible for the review and revision of all federal regulations governing Indian Affairs at the Department of the Interior.

After receiving a law degree in 1997 from Georgetown University, Singer worked as a litigator in Washington, D.C., and for the Attorney General of the Cheyenne River Sioux Tribe before coming to the Department of the Interior. She is a member of the California; Washington, D.C.; and Cheyenne River Sioux Tribal Court Bars. In 2009, she received a master's degree in business administration from the University of New Mexico.



**The Freedom of Information Act, 5 U.S.C. § 552,
As Amended By
Public Law No. 110-175, 121 Stat. 2524, and
Public Law No. 111-83, § 564, 123 Stat. 2142, 2184**

**Freedom of Information Act
Requests Demystified**

Freedom of Information Act (FOIA) requests are initiated to obtain information contained in documents that the government has created, received and/or maintains. For example, if you need historical records of activities that occurred on tracts of land, a FOIA request may help you obtain that information.

A FOIA request must reasonably describe the records sought. Answers/records will not be provided for questions regarding agency operations or for records already made available to the public.

There are specific requirements for submitting a request to be processed. You must submit your request in writing, although that

may be by letter, fax or email. You must indicate into which of four categories the request falls:

1) commercial use, 2) scientific or educational, 3) news media, and 4) other. Each category has associated fees, which you must state in the request you are willing to pay.

Generally, you submit a FOIA request to the government bureau, agency or office where you believe the records originated. The Office of the Special Trustee for American Indians' FOIA Officer is Veronica Herkshan, who can help you prepare a request. You can reach Veronica at 505-816-1645 or at veronica_herkshan@ost.doi.gov. For details about FOIA policy, visit www.doi.gov/foia/policy.

Pay.gov Update

Payments for Bureau of Indian Affairs leases and permits are being accepted through Pay.gov, a secure Internet based collection service provided at no cost by the U.S. Department of the Treasury. Pay.gov can accept both electronic check payments (funds transferred directly from a bank account) and those made by credit card.

Beginning June 1, 2012, the limit on payments by credit card will change. Treasury is establishing under \$50,000 as the new credit card payment limit (currently \$100,000 through May 31, 2012). That means Pay.gov will accept credit card payments up to \$49,999.99 starting June 1.

Payments made by electronic check currently have no payment limit. That will remain unchanged. Payments made by regular check will continue to be processed by the Office of the Special Trustee for American Indians through the Indian trust fund lockbox.

If you have questions about Pay.gov, contact Rien Heymering at 505-816-1323 or email rien_hymering@ost.doi.gov.